

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TIMOTHY HEBEBRAND,

Plaintiff,

v.

SAN JOAQUIN COUNTY, et al.,

Defendants.

No. 2:22-cv-00730 KJM DB P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 23, 2022, the magistrate judge filed findings and recommendations, which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within twenty-one days. (ECF No. 5.) Plaintiff has not filed objections to the findings and recommendations.¹

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¹ The court's November 23, 2022 order was returned as undeliverable to plaintiff. Under Local Rule 183(b), plaintiff is required to update the court when his address changes. If mail is returned as undeliverable to plaintiff, he has sixty-three days to provide an updated address to the court. Local Rule 183(b). Plaintiff has not provided an updated address and the deadline to do so has passed. Accordingly, this action may be properly dismissed for failure to prosecute. *Id.*

1 The court presumes that any findings of fact are correct. *See Orand v. United States*,
2 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed
3 de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law
4 by the magistrate judge are reviewed de novo by both the district court and [the appellate] court
5”). Having reviewed the file, the court finds the findings and recommendations to be
6 supported by the record and by the proper analysis.

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. The findings and recommendations filed November 23, 2022 (ECF No. 5), are adopted
9 in full;
- 10 2. This action is dismissed without prejudice; and
- 11 3. The Clerk of Court is directed to close this case.

12 DATED: March 29, 2023.

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15 CHIEF UNITED STATES DISTRICT JUDGE
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